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CRL OP No. 7775 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-03-2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP No. 7775 of 2025

Senthil Selvam @ Senthil
S/o.Maruthamuthu,
No.17, Saliya Street, Sellur, Karaikal,
Puducherry - 609 607.

Petitioner(s)

Vs

State Rep. By The Inspector of Police,
Mambalam Police Station, Chennai.
(crime No.44 Of 2025)

Respondent(s)

CRL OP No. 7775 of 2025

PRAYER

To enlarge the Petitioner on Anticipatory Bail in the event of his arrest by the respondent police in Crime No.44 of 2025 on the file of the respondent police The Inspector of Police, Mambalam Police Station, Chennai considering the facts and circumstances of the case

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For Petitioner(s): Mr. Kripakaran A

For Respondent(s): Mr. S. Santhosh,
Government Advocate



ORDER

The petitioner / A2, who apprehends arrest at the hands of the respondent police for the offence punishable under Section 24 of the Tamil Nadu Prohibition Act in Crime No. 44 of 2025, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that when the respondent and his team were on their regular patrol duty, they found that Vibe Resto Bar was functioning beyond the permitted hours; that on seeing the police the petitioner and other accused escaped from the scene; that the respondent police recovered one Bardinet VSOP Finest brandy 150 ml bottle, 2 glass and 1 measuring cup. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the allegations are false; and that in any case, custodial interrogation is not required and sought for anticipatory bail for the petitioner.



4. Learned Government Advocate (Crl. Side) appearing for the respondent police, while opposing the grant of anticipatory bail to the petitioner, reiterated the prosecution case and on instructions submitted that the petitioner has no bad antecedents.

5. Considering the nature of the allegations, the fact that the petitioner has no bad antecedents and since custodial interrogation is not required for the purpose of investigation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned XVII Metropolitan Magistrate, Saidapet, Chennai**, on condition that the petitioner shall execute bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with **two sureties each** for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned



Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

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[a]the petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police as and when required for interrogation.

[c]the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d]the petitioner shall not abscond either during investigation or trial.

[e]On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f]If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

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SUNDER MOHAN, J.

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